IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: To Be Assigned

Art Unit: To Be Assigned

Re:

Application of:

POSCHMANN et al.

Serial No.:

To Be Assigned

Filed:

Herewith

For:

METHOD FOR CONTROLLING A FUEL CELL SYSTEM AND SYSTEMS FOR

EXECUTING THE METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop PATENT APPLICATION

February 12, 2004

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying PTO-1449 Form (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action. Therefore, no fee is believed due.

In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

Bv

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DAVIDSON, DAVIDSON & KAPPEL, LLC 485 Seventh Avenue, 14th Floor New York, New York 10018 (212) 736-1940 FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE ATTY. DOCKET NO.: 510.1096 SERIAL NO.: To Be Assigned PATENT AND TRADEMARK OFFICE (REV. 7-80) LIST OF PRIOR ART CITED BY APPLICANT APPLICANT(S): POSCHMANN et al. (Use several sheets if necessary) FILING DATE: Herewith GROUP: To Be Assigned U.S. PATENT DOCUMENTS CLASS FILING DATE DOCUMENT NUMBER DATE NAME SUB-*EXAMINER INITIAL CLASS IF APPROPRIATE AA AB AC AD ΑE AF AG AΗ ΑI FOREIGN PATENT DOCUMENTS COUNTRY **CLASS** SUB-DOCUMENT NUMBER DATE TRANSLATION **CLASS** NO YES AJ 0 0 0 19 Sep. 5, 02 DE - Germany see abstract ΑK 0 0 0 3 94 Sep. 6, 01 DE - Germany see abstract 25 Apr. 11, 02 see abstract AJ 1 0 0 4 1 DE - Germany ΑK 0 9 7 0 8 Apr. 11, 01 EP - Europe AL 6 0 0 0 0 65 Jan. 14, 85 JP - Japan English abstract only AM AN AO ΑP OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) AR DE 697 04 571 T2 - Translation of European Patent Document EP 0 947 018 B1 (see above) AS ΑT DATE CONSIDERED **EXAMINER** *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include

copy of this form with next communication to applicant.